

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	NO. 1:05CR10072-GAO-1
)	
ANTONIO PEREZ)	
)	

MOTION FOR PRETRIAL RELEASE PURSUANT TO 18 U.S.C. §3142(c)

Now comes Defendant Antonio Perez and moves this Honorable Court to modify the present order of detention to permit his release upon conditions pursuant to 18 U.S.C. §3142(c).

As grounds for this motion, Defendant avers as follows:

1. On or about March 23, 2005, an indictment was returned charging Defendant Perez (hereinafter "Perez") with unlawful re-entry (8 U.S.C. §1326);
2. Perez was brought before the Court on March 25, 2005, pursuant to a warrant and entered a plea of not guilty. Perez was detained pending a hearing on March 30, 2005;
3. On March 30, 2005, the government moved for detention pursuant to 18 U.S.C. (f)(1)(D) and (f)(2)(A). Perez waived a hearing and consented to detention without prejudice. The Court ordered detention but "[u]pon motion of the Defendant the Court [would] schedule a detention hearing";
4. On July 27, 2005, at a pretrial conference, Perez's counsel indicated his intention to file a motion to modify conditions.

Wherefore, Defendant Perez prays that this Honorable Court schedule a detention hearing and order that he be released on conditions.

DEFENDANT
By his attorney

/s/John F. Palmer
John F. Palmer
Law Office of John F. Palmer
24 School Street, 8th Floor
Boston, MA 02108
(617)723-7010
BBO# 387980

Dated: August 16, 2005